

RE-ENACTS SCENE OF JAP MURDER

Oriental Witness to Fourth of July Tragedy at Garfield Describes Shooting.

PRISONER REMAINS CALM

STORY IS TOLD BY CELESTIAL THROUGH INTERPRETER.

Juzo Tsukudo, the Jap on trial for his life before Judge Armstrong for the murder of Tsuruhai Shih, a fellow laborer, at Garfield, July 4, never flinched yesterday morning when Kin-Do Oshi showed the jury just how the shooting occurred, using another Jap by the name of Rubiani to represent the dead man.

Oshi is a strange looking little subject of the mikado, and his antics in illustrating how the shot was fired, caused even the judge to smile, although on the testimony may depend the life of a human being. Oshi was asked by the district attorney to illustrate how the shooting was done, and was handed the revolver which fired the fatal shots.

Illustrates Fatal Shooting.

Oshi cannot talk-English, but he arranged the scene to suit his tastes by calling Rubiani to sit on the edge of the stenographer's table. Then he grasped the gun and stood within three feet of him, pointing the muzzle at his abdomen. Then he pulled the trigger twice, and the interpreter said: "He says that is the way it was done."

It appears from the evidence that Shih was sitting on a bunk and that the alleged murderer approached him and fired the shots while but a few feet away.

Through the interpreter, Oshi said: "Tsukudo came in the room, where we were drinking. He had his hand on his hip pocket. Shih was sitting on a bunk. He asked Tsukudo whether he had a gun. Tsukudo replied by firing twice into his body."

It was with extreme difficulty that the attorneys were able to secure any definite information regarding the events preceding the shooting. Oshi only remembers that they were all drinking beer and that a fight ensued, during which the killing took place. After the murder he said he chased the slayer with a knife, but could not catch him.

L. H. Wheeler of the Boston Consolidator was the only other witness yesterday. He said that he had found Tsukudo shortly after the affair apparently asleep in a cellar dug in the side of a hill. Tsukudo complained that he had some stomach trouble, and his face was badly bruised. An examination was made to see whether his stomach was injured, but this did not prove to be the case, and he was handed over to Deputy Sheriff Reed. The trial will probably last all week, and may take part of next week.

MRS. THOMPSON SUCCEUMS

Well-Known Salt Lake Woman Passes Away in Los Angeles—Funeral in This City.

Word reached Salt Lake yesterday of the death in Los Angeles of Mrs. Jennie B. Thompson, mother of the late Willard Thompson, formerly of this city. Mrs. Thompson was one of the early residents of Salt Lake, having come here in the early '70s. Her husband, Dr. J. D. Thompson, was a practicing physician here until his death, some time in the '80s.

Mrs. Thompson left Salt Lake seeking better health in the early summer, accompanied by her niece, Miss Helen Waite, who was with her at the time of her death. The body will be brought here for burial as both the husband and son of the deceased are buried here in Mount Olivet cemetery. The funeral will probably be held from the Henry W. Lawrence house, 428 West Main street, as Mr. Lawrence and Dr. Thompson were close friends. Mrs. Thompson leaves a large estate, the family fortune having been augmented considerably at the time of Willard Thompson's death in Tonopah some two years ago.

ADOPT SAFETY MEASURE.

Salt Lake Banks Will Protect Themselves and Their Customers.

Following the example of other cities, the Salt Lake clearing house banks yesterday decided to issue clearing house certificates in settlement of balances until eastern cities advise that they are settling in the regular way. The banks have ample reserves, but think it the part of wisdom to pattern after the associations east and west as a matter of self-protection. Pay-rolls, money for insurance and emergency generally will be met in cash, but withdrawals of cash otherwise will be limited to \$100 twice weekly, and all the savings banks will require the ordinary legal notice from depositors. It is thought the clearing house rule will be in force only a short time.

Investments

Investments in speculative ventures can only be excused on the grounds of inexperience. Wise investors place their money where complete security and good returns are assured. An investment in a Secured Certificate issued by this company pays 6 per cent interest, and is absolutely safe because secured by first mortgages on improved real estate.

SALT LAKE SECURITY AND TRUST COMPANY

Opposite Z. C. M. I.

CONTROL GIVEN TO OTHER LINES

Transcontinental Interests Will Have Control of Routes Operated by O. S. L.

WILL SIMPLIFY TRAFFIC

STRICTER IDENTIFICATION OF PROPERTIES THE RESULT.

Confirming a special dispatch to The Herald published last Sunday, a circular was received yesterday at the local offices of the Oregon Short Line announcing that after Nov. 1 the control of the road from Green River, Wyo., to Ogden will revert to the Union Pacific, and that of the road from Ogden to Sparks will revert to the Southern Pacific. The tracks are owned and operated by the Union Pacific, but for several years the traffic has been under the operating department of the Oregon Short Line.

The orders were issued from the general offices of the Union Pacific at Omaha, and will be effective after the first of the month. The significance of the move has not been explained by the companies, but it is understood that these orders foreshadow other important changes in the Harriman system. Doubtless one reason for the orders taking these lines out of the control of the Short Line is to facilitate the handling of transcontinental freight over the Harriman system. Under the new plan the freight will pass over only two of the roads, instead of three as formerly, which may result in less congestion of freight.

Another reason for the issuance of these orders may be the stricter identification of three western lines. After the first of the month the Short Line will operate exclusively over its own tracks, and the same will be true of the Southern Pacific and the Union Pacific lines. This may mean the concentration of the Harriman policy on the transcontinental line.

By the terms of the circular the Oregon Short Line relinquishes control of the 176 miles of the Union Pacific track from Green River to Ogden and the 533 miles from Ogden to Sparks. This transfer of operation to the original companies will make a tremendous difference in the operating department of the Short Line, since the road relinquished represents more than one-third of the Oregon Short Line system. It is believed that a great deal of the freight congestion will be relieved by the new arrangement.

LOCAL BRIEFS

COUNCIL'S ACTS APPROVED.—Mayor John S. Bransford yesterday approved of all the actions taken by the city council at Monday night's meeting.

MRS. SHINGELTON TO ENTERTAIN.—Mrs. R. Shingelton will entertain the auxiliary of the Brotherhood of Locomotive Engineers at a Kensington Thursday afternoon at 170 North Sixth West.

TO HOLD INSTITUTE.—The primary teachers of the local schools will hold an institute at the Lafayette school Tuesday afternoon from 2 to 4 o'clock. The institute will be held in the afternoon and the grade teachers will attend one on Thursday afternoon.

TO ATTEND INSTITUTE.—C. Nelson, state superintendent of public instruction, left yesterday for Loa, Wayne county, to attend the county teachers' institute which will be held there. The institute will begin today.

ELITE ENTERTAINS BOYS.—Members of the Newhouse Boys' club and their friends to the number of 100 were entertained at the Elite theatre last evening as guests of the manager, Max Florence. The entertainment was a creditable one.

LADIES' AID SOCIETY SUPPER.—The Ladies' Aid society of the Westminster Presbyterian church will give a Hal-loween conundrum supper Thursday night from 8 to 9 o'clock, in the lecture room of the church, West Fourth West between First and Second South streets.

ARE SERVING SUBPOENAS.—Captain L. H. Smyth and Julian Riley of the United States marshal's office are serving subpoenas in connection with the present term of the federal court. Captain Riley is in Davis county.

GOVERNOR RETURNS FROM OUTING.—Governor John C. Cutler returned yesterday afternoon from a hunting trip in Utah and Carbon counties. He was accompanied by Sheriff Harmon and Game Warden Mendenhall of Utah county and Postmaster James C. Provo.

RETURNS FROM MILNER.—George Clinton, a surveyor, who has been at work during the summer on the big irrigation project at Milner, Ida., is in the city. He says the enterprise is highly successful in every respect. Mr. Clinton was formerly located at Anaconda, Mont.

ORGANIZE NEW UNIONS.—The Carriage and Wagon Workers' union will meet tonight for the purpose of organizing the first steps toward organizing this body were taken two weeks ago. On Thursday it was decided that a hostile and hostile engineers will be organized. The work will be directed by Dan I. Elton of the Utah Federation of Labor.

STATE MAKES SELECTIONS.—Notice was filed yesterday in the United States land office that the governor of Utah had made selections for the survey of government lands as follows: Township 1 north, range 19 west; township 1 south, range 19 west; township 2 north, ranges 17, 18 and 19 west. The lands are consequently held in reserve.

WANT JUVENILE COURT.—Justice Williams of Bingham Junction and the probation officer at that place have asked Judge Gowans of the juvenile court to hold court there at stated intervals. They say that the youth of the town are not aware of the power of the court and that if the judge would visit the village now and then it would tend to have a wholesome effect.

HELP FOR CONSUMPTIVES.—Jacob Mariner of the Jewish Consumptive Relief association addressed the Peixotto lodge of the B'nai B'rith at its regular meeting last evening. Both speakers were warmly received, and the lodge pledged its support to the movement. Twenty new members were added to the relief association yesterday, and the fund for the cure of consumptives was enlarged by several private contributions.

METEOROLOGICAL REPORT.

Yesterday's Record at the Local Office of the Weather Bureau.

Maximum temperature, 63 degrees; minimum temperature, 40 degrees; mean temperature, 52 degrees, which is 5 degrees above normal. Accumulated excess of temperature since the first of the month, 153 degrees. Accumulated excess of temperature since Jan. 1, 108 degrees. Relative humidity, 45. Total precipitation from 6 p. m. to 6 p. m., none. Accumulated deficiency of precipitation since the first of the month, 23 in. Accumulated excess of precipitation since Jan. 1, 2.59 inches.

Dr. Condon Urges State Legislation To Prevent Coursing Matches in Utah

To The Salt Lake Herald:

The other Sabbath I heard the bells pealing, and as the vibrant chimes swept on the quiet October air I remembered the east pulsing note found an answering echo in every city of the state at that hour, even in Salt Lake City, and I wondered what the helpless race of dumb brutes of desert wastes and the far reaches of wild sage thought (for the experiences of last week make them think if they never thought before) as they huddled in their narrow prison dens, there and waited the dripping jaws that hungered for them on the morrow.

And, still listening, I wondered what the good preacher would say to his flock that had been called together by the belfied blacksmiths in the air? To spiritually and socially uplift them—the fathers and mothers whose children will be the government when they themselves shall sleep with their fathers—whether he would allude to that cruel sport (which had the respite of a day to save the hounds) that was sure to be a part of the foundation on which should be reared a race of degenerates; and I wondered if the good minister would have the courage to take his interested hearers back into antiquity to draw lessons of profit therefrom, and would he draw pictures of the old cities now dead and his mind, grasping for a moment the cities of Sodom and Gomorrah, those wicked cities of the plains, would he tell them that the cities of Sodom and Gomorrah were never cowardly enough to pull off a race with death as stakes, and put up by one party for both sides, between \$5,000 and a terror-stricken, half-starved, crippled black rabbit?

An observing reporter said in a morning paper, viz: "These two dogs reached the arena at the rate of three minutes even terms, and for fully three minutes practically evened up matters, taking turn about on the rabbit." Mark the words, and they are no doubt true. These two dogs, long and thin, about one long, defenceless little animal, half scared to death, and that is called sport! Gentlemen, if any who participated in that awe-inspiring pastime can answer to the name, I submit that even one lone black rabbit, with rights, and your liberties and where his rights begin! I say here without hesitation that they are human brutes who would release a second dog, just for fun, on an exhausted black rabbit, or a mouse, or any animal incapable of self-defence, and animal under conditions the very paths of helplessness, capricious and brouged, and intended for a voice from the pulpit, hoping against hope that some voice or pen abler than mine would try to discourage the impending coursing tournament; but the crowd of spectators made no sign, there came no rebuking voice from the pulpit, till my soul cried out that I was a coward if I could not find my peace, and hence I found the pulpit, and I shall not return till there is a law on Utah's statute books prohibiting such useless and cruel sports and public exhibitions of the basest and the fairest and best of our sisters.

A. S. CONDON, President Weber County Humane Society, Ogden, Utah.

discomfited hound, another eager and fresh hound unloosed, a few frantic bounds, a pitiful squeal, short, feeble and feeble, crushed and mangled mass of hair and bones; and that is sport! God save the mark! Talk about undesirable citizens! What would your beautiful and thriving city be without the sport and the camp followers for neighbors? It is said that the sport has been but poorly patronized by our sister city by the "salt sea wave" and their narrow prison dens, there and waited the dripping jaws that hungered for them on the morrow.

TRIP OVER HARRIMAN LINES SHOWS UNSHAKEN CONFIDENCE IN THE WEST

Blaine Phillips of Boise, formerly editor of the Northwest Magazine, is in the city after a tour of Utah, Idaho, Montana and Wyoming. He is engaged in the preparation of a brochure which the Union Pacific and Short Line are soon to issue. The book will contain about a hundred pages, liberally illustrated, and will be replete with material not ordinarily found in railroad advertising publications, which, in reality, this is, only in a limited degree. The book describes a trip on the overland limited from Council Bluffs to the Pacific coast over the Harriman lines. Regarding the trip, Mr. Phillips said: "My greatest compensation has been the opportunity to see country with which hitherto I have been unfamiliar, and to meet everywhere along the line people who have faith similar to my own in the future of the west, and who are all facing hard conditions with smiling visages. Even in the smallest towns I found little groups of men who had banded together for the purpose of devising some means of attracting attention to resources which they considered superior to any."

A reason of this illimitable faith lies in the fact that almost everywhere a new is added to the resources of the west. A few weeks ago oil spurted from a gusher at Payette. This means that within a few years the coal which is now necessary for industrial use will give way to oil, and in this manner we will be able to gradually eliminate the coal famine scare. The largest deposits of phosphates in the world have just been unearthed in Bear Lake county, and very recently an extensive bed of chert, a sort of chalk formation from which the highest grades of china are manufactured, has been discovered at Idaho Falls. I saw several specimens of this last night, and am quite willing to believe that the mining of chert will soon be one of the industries of Idaho. The discovery is important because the

Dr. Lister's Tooth Powder

Has been famous for years, just because it is the best tooth powder made from every standpoint.

Thoroughly hygienic, pleasant to use, and undeniably perfect in the way it whitens and beautifies the teeth, it is a daily necessity among people who know the value of a healthy mouth. You can buy it for a quarter.

SCHRAMM'S

"Where the Cars Stop."

TO INSTALL ITS PASTOR

Congregation of Westminster Presbyterian Church Will Hold Services.

The Rev. Charles Curtis McIntire is to the liking of the people who worship at the Westminster Presbyterian church, and being to their liking Mr. McIntire will be formally installed as the pastor of the church on Friday evening. The services will begin at 8 o'clock.

Dr. McIntire came here last May from Cincinnati, where he had been pastor of the First Presbyterian church. During the summer he has delivered a number of sermons that have attracted more than ordinary attention. He has entered in the church work in this city with all the zeal of an earnest, capable minister.

At the installation on Friday there will be services of an impressive character. Many of the highest in choice of the church as its officers will be there. Leading these will be the Rev. E. MacDill, moderator; the Rev. R. G. McNeice, D. D.; President R. M. Stevenson, Rev. E. J. Lays and the Rev. W. M. Paden, D. D.

ZULA NEVITT WOOD DIES.

Bride of Seven Weeks Succumbs to Attack of Peritonitis.

Friends in Salt Lake of Zula Nevitt Wood will learn with deepest regret of her death in Denver. Last winter Zula Nevitt was engaged in newspaper work in this city, writing signed articles which attracted more than ordinary attention. In February she returned to Denver, where she became the wife of Mr. Wood, political writer on the staff of the News. That newspaper, in its issue of Oct. 23, has this to say about Mrs. Wood's death:

"Mrs. Zula Nevitt Wood, bride of but seven weeks, died yesterday at St. Anthony's hospital of peritonitis after an illness of five weeks."

"Mrs. Wood, who before her marriage was Miss Zula Nevitt, society reporter of the Times, was married to Mr. Wood, the political writer of the News, on Sept. 8. The marriage seemed to have every prospect of being an ideal one, and the many friends of both, in and out of the newspaper world, predicted a most happy life for the newly wedded pair."

"But within two weeks after the wedding Mrs. Wood was taken ill. She and her husband had just moved to their new home at the Troy, 1535 Grant avenue. Her illness did not appear serious at first, but soon became so, and it was necessary to remove her to the hospital. For a time she grew better, but Saturday had a decided relapse, and the end came yesterday afternoon at 1 o'clock."

"Mrs. Wood was a daughter of Mrs. John Nevitt of Del Norte, Colo. Mr. Nevitt was notified Saturday of the serious turn her daughter's case had taken, but was unable to leave until last evening. She will arrive in Denver this morning."

CHARGES BIBULOUS HABITS

Mrs. Hendry Says Her Husband is a Drunkard.

Alleging that her husband, John M. Hendry, will not even seek employment, and that for the past year the only occupation he has had has been imbibing liquor, as a result of which she says he is a habitual drunkard, Elizabeth Hendry yesterday began suit for divorce in the district court.

During the past eighteen months she says that her husband has utterly failed to provide for her and her five minor children the common necessities of life, and has neglected his family in every way.

Besides a divorce Mrs. Hendry wants the custody of the children and \$45 a month alimony, in addition to the household furniture and the homestead.

They were married in Salt Lake Feb. 22, 1888.

AMUSEMENTS

"Salomy Jane." Paul Armstrong's dramatization of Bret Hart's "Salomy Jane's Kiss," will be given its first presentation at the Salt Lake theatre this afternoon and evening. A large audience witnessed last evening's presentation.

New York, Oct. 29.—Advices from London report that Marie Dressler made a great hit at the Palace theatre last night on her first European appearance. Her main triumph was the revival in "The Glove," but from the first moment she had the audience with her.

A matinee and evening performance of Murray & Mack and their engagement at the Grand today.

Now that all acts are in place and everything is running smoothly, the program is presenting one of the best bills of the season. The Golden Graces, who arrived here on Monday night, are proving to be one of the best acts of their kind ever presented at the Orpheum.

"Tom's Vacation at Sault Beach," the comedy being presented at the Lyric theatre this week, is a meeting with big success. In the vaudeville olio there are several good turns, the act of the Three Aces deserving special mention. This bill runs all week until Friday night, "added attraction night."

Call and inspect our white enameled kitchen at the Royal Cafe. Cleanliness and sanitation are perfect.

E. C. Schramm has seen so many cures made by Mi-o-na stomach tablets that he gives a guarantee with every 50-cent box that the money will be refunded if the remedy fails to give satisfaction. He takes the whole risk, and a box of Mi-o-na will not cost you a penny unless it cures you. Corner Main and First South streets, "Where the Cars Stop."

Bad Breath From Indigestion Cannot Be Overcome With Perfumes.

All of us suffer from bad breath—sometimes our own, but often that of our friends.

Nine-tenths of this bad breath comes from some stomach trouble, and cannot be overcome by breath perfumes or any other palliative measures. If you occasionally have a bad breath; if there is heart-burn, flatulence and acid gurglings of undigested food; if the stomach burns or smart; if there is sleeplessness, nervousness, headaches or any other of the many symptoms of indigestion, use Mi-o-na stomach tablets and get well.

Mi-o-na is not a mere digestive nor a physic, but a tonic remedy that strengthens the muscles of the stomach and bowels so that the flow of gastric juices is increased, and the food is digested naturally and does not stay in the stomach to ferment and poison the breath with nauseous odors.

A little 50-cent box of Mi-o-na stomach tablets lasts for a couple of weeks, and is a most effective remedy for all cases of indigestion. If you suffer with a chronic case of stomach trouble, the use of Mi-o-na for a reasonable length of time will give you an absolute and complete cure.

E. C. Schramm has seen so many cures made by Mi-o-na stomach tablets that he gives a guarantee with every 50-cent box that the money will be refunded if the remedy fails to give satisfaction. He takes the whole risk, and a box of Mi-o-na will not cost you a penny unless it cures you. Corner Main and First South streets, "Where the Cars Stop."

Morrison, Merrill & Co., 28 MAIN STREET.

Bell Exchange 9. Ind. 501.

ON A GARMENT

Is just as good as an insurance policy—yes, even better. It means clothes style and clothes satisfaction. See that you have that "sign" under the inside of your coat collar or in the inside pocket when you buy the fall suit.

228-230 MAIN

A Legal Holiday

Need not be declared in order to protect your interests if they are in real estate. Anything you buy and buy right at present prices will be sure to make you some money. We have the property and will give you a square deal.

You ought to see Federal Heights these days. It's an eye opener. Let us talk to you about this premier-residence section. We are receiving many inquiries regarding this property and it is going to move rapidly. Everything in the tract is choice, but you'd better make your selection before some other fellow gets the lot you want.

STOWE & PALMER

Howard S. Stowe. Eugene B. Palmer.

THE REALTY MEN (CONTROLLING WILSON-SHERMAN CO.)

INSURANCE THAT INSURES. (Lessee's Lynn-Smith Co., Insurance.)

58 West Second South Street. Both 'Phones 4044.

"YOU CAN'T KEEP A GOOD TOWN DOWN."

MINING MAN IN COURT ON CHARGE OF INTERFERING WITH SPECIAL OFFICER

Erldine T. Gove, assistant secretary and acting manager, and T. J. Everill, both holding responsible positions with a large copper company, were arraigned in the police court yesterday afternoon on the charge of having attempted to arrest a prisoner from the custody of C. A. Middleton, special policeman at the Auditorium skating rink, who has a reputation of being somewhat officious in his attempts to enforce the police regulations at the rink.

As Gove and Everill were not ready to answer to the charge, the case was continued until next Thursday. Both men were released upon their own recognizance.

According to Special Policeman Middleton's story, Gove and Everill went to the Auditorium on last Thursday night, accompanied by T. Truman Goodyear, who boards at 428 West Third North street. Middleton declares that all three had been drinking, and that Goodyear created such a disturbance that he placed the man under arrest. Gove and Everill, he alleges, then attempted to rescue Goodyear from custody and were beaten off only after a hard struggle. Goodyear was the next day fined \$5 in the police court.

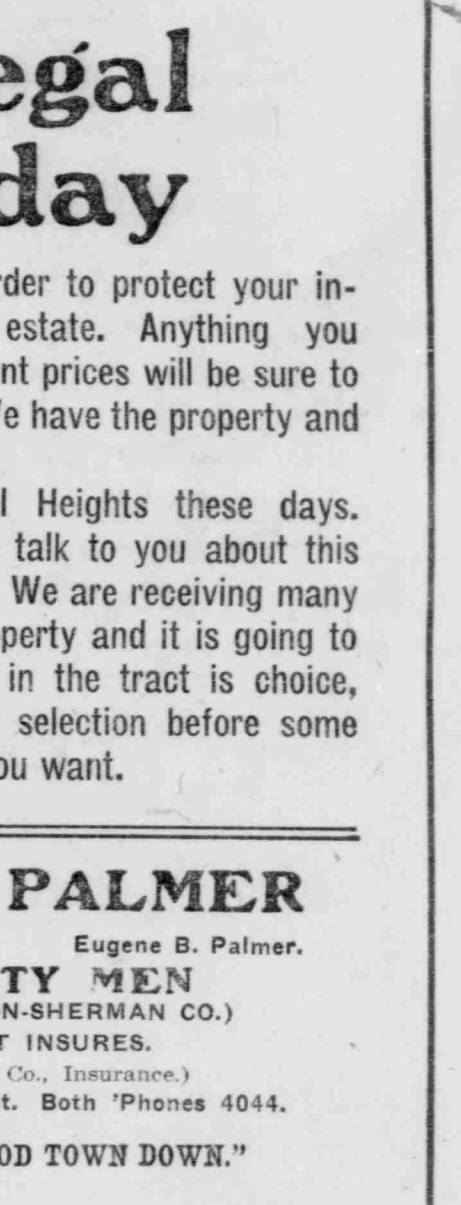
This did not satisfy Middleton, who began a quiet investigation to learn the names of the men who he alleges tried to take his prisoner away from him. On ascertaining the names, he swore out the warrants for the arrest of Gove and Everill.

The story told by the two mining men varies somewhat from that related by the special policeman. They maintain that they had not been drinking when they went to the skating rink on Thursday night, but that Goodyear might have imbibed a trifle too much.

When Middleton arrested Goodyear, they say, the fireman objected and a scuffle followed. During the struggle, they assert, Middleton drew his club and knocked Goodyear down with a blow upon the head. Then, while the prisoner lay almost senseless upon the floor, they declare that Middleton kicked the prostrate man in the face.

At this point Gove and Everill say they interfered, urging the special policeman to use less violence in handling a man in custody. This, they declare, enraged Middleton, who struck Everill upon the head with his club.

The two mining men are positive that their part in the affair went no farther than vigorous protests against the al-



High-Grade Unsweetened Chocolate over Whipped Cream Centres.

SWEET CANDY CO. Manufacturing Confectioners.